

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

NTN-BOWER CORPORATION
Employer

and

Case 10-RD-001504

GINGER ESTES
Petitioner

and

INTERNATIONAL UNION, UNITED AUTOMOBILE,
AEROSPACE, & AGRICULTURAL IMPLEMENT
WORKERS OF AMERICA, AFL-CIO, CLC
Union

ORDER

The Employer's and the Petitioner's Requests for Review of the Regional Director's administrative dismissal of the petition are granted as they raise substantial issues warranting review. The Regional Director dismissed the petition based on unfair labor practices found by the administrative law judge in Cases 10-CA-37271, et al. However, in cases involving unfair labor practices other than a general refusal to recognize and bargain with the Union, there must be specific proof of a causal relationship between the unfair labor practices and subsequent employee disaffection with the Union such that the petition is tainted and the petition must be dismissed. The Board in Master Slack Corp., 271 NLRB 78 (1984), identified four factors in determining whether such a causal relationship exists. Accordingly, as the unfair labor practices in this case did not involve a general refusal to recognize and bargain with the Union, we remand this case to the Regional Director to determine whether processing of the petition is warranted in light of Master Slack. Thereafter, the Regional Director shall issue a Decision.¹

WILMA B. LIEBMAN, CHAIRMAN

CRAIG BECKER, MEMBER

BRIAN E. HAYES, MEMBER

Dated, Washington, D.C., February 23, 2011

¹ The petition is subject to reinstatement, if appropriate, after final disposition of the unfair labor practice proceeding in Cases 10-CA-37271, et al. Accordingly, the Petitioner is made a party in interest to Cases 10-CA-37271, et al., solely for the purpose of receiving notification of the final outcome of that case. See generally, NLRB Casehandling Manual, Part Two, Representation Proceedings, Sec. 11733.2(b).